IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.27 OF 2006
IN
CRIMINAL WRIT PETITION NO.1430 OF 2005

Ramkrishna Kalu Pawar ...Petitioner
Vs.
The State of Maharashtra ...Respondent

Mr. Sandesh More (Appointed) for the Petitioner
Mrs. S.D. Shinde, A.P.P for the State

CORAM: SHRI J.N.PATEL &
SMT. ROSHAN DALVI, JJ.
DATED: 15TH SEPTEMBER, 2006

P.C.

1. Heard.

2. The Petitioner challenges the order dated 11th March, 2005 on the ground that he has been wrongfully put in category 2(b) of the Guidelines for premature release under the "14 Year Rule" of Prisoners serving life sentence after 18th December, 1978 bearing No.1092/13/252/PRS-3 dated 11th May, 1992.

3. The learned Counsel appearing for the Petitioner submits that the case of the Petitioner would fall under the Category

No.2(a). The crime committed was out of a quarrel and without pre-meditation.

4. We have examined the judgment of the trial Court and considering the manner in which the offence has been committed, we have no hesitation to arrive at the conclusion that the Petitioner killed Leelabai Dagadu Wadwal with pre-meditation and therefore, Respondent State was justified in categorizing his case under Category 2(b). The motive which has been brought on record form committing murder of Leelabai Dagadu Wadwal is out of previous enmity. Therefore, we find no merit in the Petition. Petition dismissed.

(SMT.ROSHAN DALVI, J.) (SHRI. J.N. PATEL, J.)